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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/682,033	10/10/2003	Chan-Tung Chen	3624-0128P	1868

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EXAMINER

PASSANITI, SEBASTIANO

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/682,033

Applicant(s)

CHEN, CHAN-TUNG

Examiner

Sebastiano Passaniti

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on see detailed Office action.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12 is/are rejected.
- 7) ☒ Claim(s) 11 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/10/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 3711

DETAILED ACTION

This Office action is responsive to communication received 10/10/2003 – application papers filed and IDS; 06/03/2004 – Letter requesting official filing receipt.

Claims 1-13 are pending.

Following is an action on the MERITS:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Jackson. As to claim 1, note golf club head (10), including striking plate (24), hosel (12) and heel or juncture region (26). Note compartment (32), which is filled with a material having a lower specific gravity than the material from which the head is fabricated. Thus, the center of gravity is naturally shifted towards the toe region. As to claim 4, the compartment (32) is filled with a non-metallic material for vibration dampening. See col. 3, lines 41-47. As to claim 5, here again, see lines 41-47, wherein Jackson notes the various materials that may be used. As to claim 6, note that forging is one method contemplated by Jackson for forming the heel and hosel region. See col. 3, lines 48-52.

Art Unit: 3711

Claims 1, 4, 8, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Cook. As to claim 1, note hosel (10), striking face (12) and heel portion generally near elements (26, 30). The heel portion includes a compartment. The language in claim 1, "for reducing a weight of the heel, thereby shifting the center of gravity" is merely functional in nature. The compartment in the heel section will naturally affect the location of the center of gravity. As to claim 4, a filling material is added to the compartment. See col. 3, lines 14-22. Here again, the language "for absorbing vibrations" is functional in nature. As to claim 8, the striking plate is referred to as being mounted in a depression or recess (col. 3, lines 1-12). Thus, the golf club head includes an engaging portion. As to claim 9, the heel compartment continues into the engaging portion area. In other words, the heel compartment continues through club head body behind the striking plate. As to claim 10, here again, the heel compartment is filled with a material. The language in claim 10, "for absorbing vibrations" is merely functional.

Claims 1, 2, 3 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Meyer. As to claim 1, note club head (11), striking plate (17), hosel (12) and heel area (generally at (13)). The heel includes a "compartment". The existence of a compartment, per se, changes the location of the center of gravity. As to claim 2, note that the spacing between at least two of the plurality of apertures within flange (26) in the heel area constitutes a plurality of wall sections, as broadly as claimed. As to claim 3, the shape of the bracket (26) includes a plurality of "flanges", namely the top curved section and the lower curved section that together define the compartment of the heel

Art Unit: 3711

area. As to claim 12, the compartment of the heel may be filled with a material (col. 3, lines 15-21).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson in view of Antonious ('016). To have modified the device in the cited art reference to Jackson by forming the heel, face and hosel through a section-by-section method in order to provide greater leeway in the sizing and arrangement of the heel area with respect to the face and the hosel would have been obvious in view of the patent to Antonious, which shows it to be old in the art to separately form the hosel, heel area and face and subsequently unite these parts so that the striking face may be enlarged or given its broadest possible width during the manufacturing process while at the same time enabling the heel area to be positioned in a more optimal location for enhanced alignment. In other words, making all of these parts separately enables the skilled artisan some leeway in the design of these elements over the more traditional looking hosel/shank/face area commonly found in iron-type club heads.

Claims 11 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note the insert in the heel area in Steiner. Note insert (60) in Gallagher. Antonious ('498) shows a heel area, of interest. Mahaffey shows a hosel and heel section, of interest. Lo and Perkins show iron-type club heads, of interest.

Art Unit: 3711

Griffin shows apertures in the heel region. Carpenter shows a heel region as well as a club body region filled with material.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sebastiano Passaniti whose telephone number is 571-272-4413. The examiner can normally be reached on Mon-Fri (6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on 571-272-4415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sebastiano Passaniti
Primary Examiner
Art Unit 3711

S.Passaniti/sp
November 29, 2004